

### **REMARKS/ARGUMENTS**

Claims 1-6 and 14-19 are pending in the application. Claims 7-13, 20-26 have been canceled. The Examiner is thanked for the courtesy of an interview on April 10, 2008. As suggested in the interview, the independent claims have been narrowed. Claim 1 is now specifically directed to a security label. Claim 1 has also been amended to set forth peeling away a portion of said holographic film that does not stick to the curable ink pattern. Independent claim 14 has been similarly amended.

Kamen et al. (US Pat. 5,585,153) was previously cited as showing peeling away a portion of a foil (col. 3, lines 7-16). However, Kamen discloses this for a foil held with an adhesive. It is not obvious from Kamen, or the other references, that one could not only use the UV curing of the ink instead of an adhesive, but that the cured ink would be strong enough to hold the portion of a film over it, while a remainder of the film is peeled away.

#### **Rejections**

Claims 1, 14, 19. Claims 1, 14 and 19 were rejected as obvious in view of the combination of Kamen et al. (US Pat. 5,585,153) in view of Osamu (JP 07299955) and Sharpe (US 5,626,702).

Claims 2-4 and 15-17. Claims 2-4 and 15-17 have been rejected as obvious in view of the combination of Kamen in view of Osamu, Sharpe and Howland et al. (US Pat. 6,089,614).

Claims 5 and 18. Claims 5 and 18 have been rejected as obvious in view of the combination of Kamen in view of Osamu, Sharpe and Roth (US Pat. 5,889,084).

Claim 6. Claim 6 has been rejected as obvious in view of the combination of Kamen in view of Osamu, Sharpe and Scarborough et al. (US Pub. 2004/0140665).

#### **Distinctions**

Sharpe. The last office action added Sharpe to the references used to reject the claims. Even with this additional reference, no reference suggests using the curing of a UV curable ink to adhere a hologram film on top of the ink, without an adhesive layer. Sharpe shows a process for putting patterns on cloth, such as T-shirts. A plastikol (plastic ink) is used. Such

an ink does not adhere to a substrate. Rather, when heated, it wraps around the fibers and makes a mechanical bond with the fabric. Such inks will not adhere to non-porous substrates such as plastic, metal and glass, and thus are not useful for a security label, as in the present invention, unless a separate adhesive layer is provided. Therefore, it would not be obvious to combine Sharpe with Kamen and Osamu.

Kamen. Kamen does not show curing the ink after a hologram layer, or any other layer, has been placed over the ink. Kamen describes curing the ink first, then applying the next layer (a foil). See col. 1, lines 54-58 and col. 1, line 65 - col. 2, line 2. Independent claims 1 and 14 require that the curing happen after the holographic layer is placed over the ink. Claim 1 sets forth that the ink is in the "uncured state" when applied and when the holographic layer is placed over the ink pattern. Claim 14 sets forth that the adhering is "a result of curing." Kamen, similar to Osamu, uses another means to adhere the foil layer. Kamen uses heat compressing to attach the foil layer (see sections referenced above). The curing of the ink before the foil is applied makes it clear that the curing is done to attach the ink to the layer below it, not to attach the ink to the foil. The foil is attached using heat compression.

Accordingly, the claims are not shown or suggested by Kamen alone or in combination with Osamu and Sharpe. Since both Kamen and Osamu use other techniques to adhere the layer over the ink, the only combination that would be obvious, without hindsight from the present invention, would be to substitute the heat compression of Kamen for pasting the hot-stamping foil 5 of Osamu. Neither suggests using the curing step of the ink, after the layer above has been placed over the ink, to adhere the layer to the ink. Sharpe, since it describes a plastic ink, would only be combined with an adhesive, because the ink would not adhere to a non-textile without a separate adhesive.

Osamu. As noted in previous amendments, there is no teaching or suggestion in Osamu that the ink could be used to attach anything other than the ink itself to a substrate.

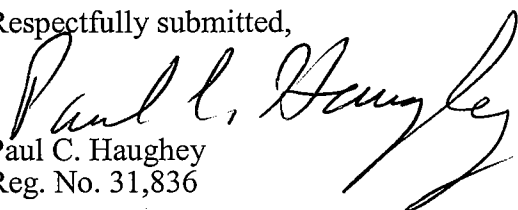
**CONCLUSION**

Thus, in summary, (1) no reference suggests using the curing of a UV curable ink to adhere a hologram film on top of the ink, without an adhesive layer. (2) It is not obvious from Kamen, or the other references, that one could not only use the UV curing of the ink instead of an adhesive, but that the cured ink would be strong enough to hold the portion of a film over it, while a remainder of the film is peeled away. (3) Sharpe uses a plastikol (plastic ink) which wraps around the fibers and makes a mechanical bond with a fabric, and is not useful for a security label unless a separate adhesive layer is provided.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
Paul C. Haughey  
Reg. No. 31,836

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
Attachments  
PCH:rgy  
61387948 v1